REMARKS

Claims 26, 100, 102, 104-112, 114, 133, 134, and 142-144 are pending. Claims 1-25, 27-99, 101, 103, 113, 115-132, and 135-141 have been previously canceled without prejudice or disclaimer. Claims 26, 100, 102, 104, 105, 107, and 111 are amended herein. The Applicants traverse the Examiner's rejections, as follows.

Drawings

The Applicants have amended the drawings to address the Examiner's objections.

Enablement Rejections Under 35 U.S.C. § 112

The Examiner rejected all pending claims under 35 U.S.C. § 112 for allegedly failing to comply with the enablement requirement. The Examiner stated that the specification does not mention software modules. However, as pointed out by Applicants' attorney at the interview, the specification indicates that "the modules comprising the Data Center server 104 may be implemented as one or a plurality of software processes."

The Examiner also stated that "computer-readable medium" is not found in the specification. The Applicants disagree because a person of ordinary skill in the art would understand, in view of the specification, that the data referenced in the specification is stored in a computer-readable medium. Nevertheless, the Applicants have amended Claim 26 to refer to a "computer storage medium" rather than a "computer-readable medium." The Applicants do not believe that this amendment changes the scope of the claims.

Rejections Under 35 U.S.C. § 112 For Allegedly Omitting Structural Relationships

The Examiner rejected all pending claims under 35 U.S.C. § 112 for allegedly "being incomplete for omitting essential structural cooperative relationships of elements." The Applicants traverse the rejections. The Examiner states that "a purchase request computer system remotely accessible via a network" is omitted from the claims. To the contrary, the claims recite "a plurality of purchase request records stored in a computer system remotely accessible via a network."

The Examiner also states that the claims omit "a system database coupled to the purchase request computer system storing a plurality of purchase requests received from potential buyers." To the contrary, the claims recite "purchase request records stored in a computer system . . . created from data received from potential buyers." The only apparent difference between the

claim language and allegedly omitted language is that the claim language does not explicitly recite a "system database." However, Applicants submit that a system database is implicitly part of the existing claims. Specifically, the claims already recite "purchase request records stored in a computer system." Because the phrase "system database" is a broad term that covers a collection of data stored on a computer system, Applicants submit that "purchase request records stored in a computer system" are a "system database."

Nevertheless, the Applicants are willing to amend the claims, and herein have amended the claims, in accordance with the Examiner's suggestion in the October 15, 2010 Office Action. As the Applicants explain below in the section regarding the rejections under 35 U.S.C. § 101, the Applicants believe that the Examiner's suggested claim language does not change the scope of the claims but, rather, merely reorders the wording of the claims or explicitly recites structural elements that were already implicitly part of the claims.

Rejections Under 35 U.S.C. § 101

The Examiner rejected all pending claims under 35 U.S.C. § 101 for allegedly being drawn to non-statutory subject matter. First, the Examiner states that "computer-readable medium" may cover transient, propagating signals. The Applicants disagree because a person of ordinary skill in the art would understand, in view of the specification, that a "computer-readable medium" is a tangible storage medium. Nevertheless, the Applicants have amended Claim 26 to refer to a "computer storage medium" rather than a "computer-readable medium." The Applicants do not believe that this amendment changes the scope of the claims.

Second, the Examiner stated that the claims appear to be software *per se* because they recite software modules and allegedly do not contain enough structure for a system claim. The Applicants disagree because the claims recite significant structure, including, for example, that the claimed data and software modules are stored in computer-readable medium. Nevertheless, Applicants are willing to amend the claims, and herein have amended the claims, in accordance with the Examiner's suggestion, because Applicants believe that the suggestion does not change the scope of the claims but, rather, merely reorders the wording of the claims or explicitly recites structural elements that were already implicitly part of the claims.

With respect to the suggestion to add a "purchase request computer system remotely accessible via a network" to the claims, the claims already recite "a plurality of purchase request

records stored in a computer system remotely accessible via a network." Thus, Applicants submit that this suggested claim language reorders the claim language but maintains the same claim scope.

With respect to the suggestion to add "a system database coupled to the purchase request computer system storing a plurality of purchase requests . . .," the only structure that is apparently added by this suggested claim language is "a system database." While the phrase "system database" is not explicitly stated in the existing claims, the Applicants submit that a system database is implicitly part of the existing claim language. Specifically, the claims already recite "purchase request records stored in a computer system." Because the phrase "system database" is a broad term that covers a collection of data stored on a computer system, Applicants submit that "purchase request records stored in a computer system" are a "system database." Accordingly, Applicants submit that this suggested claim language merely explicitly recites structure that was already implicitly part of the claims, and that the suggested claim language does not change the scope of the claims.

Amendments to Claims 100, 102, 104, 105, 107, and 111

The Applicants have amended dependent Claims 100, 102, 104, 105, 107, and 111 such that these dependent claims remain grammatically consistent with Claim 26, as amended. For example, because amended Claim 26 explicitly recites the system database, the dependent claims have been amended to refer to "the system database" rather than "a system database." The Applicants believe that the amendments to the dependent claims do not change the scope of the claims.

Request to Withdraw Rejections

The Applicants submit that the claims satisfied the requirements of 35 U.S.C. §§ 101 and 112 prior to amendment and that the amended claims also satisfy these requirements. Accordingly, the Applicants request that the Examiner withdraw all outstanding rejections.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Conclusion

The Applicants believe that the claims are in condition for allowance. Nevertheless, as discussed at the interview, the Applicants encourage the Examiner to carefully examine the autobytel.com references, along with all art of record, to determine whether the claims are patentable.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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AMEND

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